

ORDINANCE NO. 3-06

**TO AMEND CERTAIN PORTIONS OF THE
UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA,
DESIGNATING THE TIME WHEN THE SAME SHALL TAKE EFFECT.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE,
INDIANA THAT ORDINANCE NO. 32-97 IS HEREBY AMENDED AS FOLLOWS:**

Section 1: Ordinance No. 32-97 of the City of West Lafayette, Indiana, is hereby amended to
rezone the following described real estate, to-wit:

Being Lot 1 in the Replat of the Fairway Knolls Subdivision, Part 1, as recorded in Plat
Book 8, Page 12, on July 27, 2005, as Document #05017410 in the Office of the Recorder for
Tippecanoe County, Indiana, being a part of the Southeast Quarter of Section 12, Township
23 North, Range 5 West, in the City of West Lafayette, Wabash Township, Tippecanoe
County, Indiana, described as follows:

Beginning at the northeast corner of Lot numbered 18 in the Fairway Knolls Subdivision,
Part 1, as recorded in Plat Book 9 on page 4 on June 3, 1963 in the Tippecanoe County
Recorder's Office; thence North 88° 59' 02" East 568.43 feet along the north line of said
subdivision to the westerly right-of-way line of Neil Armstrong Drive; thence South 42° 04'
04" East 107.60 feet along said right-of-way line to a capped rebar; thence South 34° 14' 39"
East 221.04 feet along said right-of-way line to a capped rebar set at the westerly intersection
of Neil Armstrong Drive and Palmer Drive; thence following the north and northeasterly
right-of-way lines of Palmer Drive and Burke Court the following six (6) courses: thence (1)
South 56° 25' 02" West 194.99 feet to a capped rebar set; thence (2) Southwesterly 132.69
feet along a curve to the right with a radius of 232.04 feet and subtended by a long chord
with a bearing of South 72° 47' 57" West and a length of 130.89 feet to a capped rebar;
thence (3) South 89° 10' 52" West 160.96 feet to a capped rebar set; thence (4)
Northwesterly 141.70 feet along a curve to the right with a radius of 141.02 feet and
subtended by a long chord with a bearing of North 62° 01' 56" West and a length of 135.82
feet to a Mag nail set; thence (5) North 33° 14' 43" West 142.31 feet; thence (6)
Northwesterly 146.43 feet along a curve to the left with a radius of 201.02 feet and subtended
by a long chord with a bearing of North 54° 06' 48" West and a length of 143.21 feet to the
southerly extension of the east line of Lot numbered 18 in said subdivision; thence North 01°
00' 58" West 134.74 feet along said line to the point of beginning and containing 5.285 acres.

Section 2: Said real estate is hereby rezoned as follows:

FROM: "R3W" District
TO: "PDRS" District

Section 3: This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

INTRODUCED AND FILED ON THE _____ DAY OF _____, 2006.

DULY ORDAINED PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE _____ DAY OF _____, 2006, HAVING BEEN PASSED BY A VOTE OF _____ IN FAVOR AND _____ OPPOSED.

Presiding Officer

Attest:

Judith C. Rhodes, Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE ____ DAY OF _____, 2006, AT THE HOUR OF _____.

Judith C. Rhodes, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE _____ DAY OF _____, 2006, AT THE HOUR OF _____.

Jan Mills, Mayor

Attest:

Judith C. Rhodes, Clerk-Treasurer

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

January 19, 2006
Ref. No: 06-023

RECEIVED

JAN 20 2006

West Lafayette Council
Judith Rhodes, Clerk
609 West Navajo Street
West Lafayette, IN 47906

CLERK - TREASURER

CERTIFICATION

**RE: Z-2276—FAIRWAY APARTMENTS, LLC & KNOLLS
APARTMENTS, LLC (FAIRWAY KNOLLS APARTMENTS
PLANNED DEVELOPMENT) (R3W TO PDRS):**

Petitioners are requesting rezoning of an existing 5.285 acre apartment building complex located at the northwest corner of Neil Armstrong Drive and Palmer Drive in order to construct another apartment building on property located in West Lafayette, Wabash 12 (SE) 23-5.

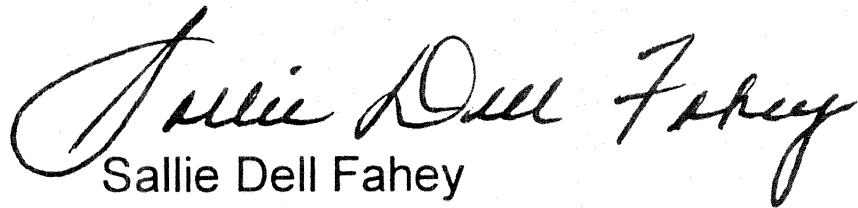
Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 18, 2006, the Area Plan Commission of Tippecanoe County voted 11 yes – 1 no to APPROVE the motion to rezone the subject real estate from R3W to PDRS. Therefore, the Area Plan Commission of Tippecanoe County recommends to the West Lafayette Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B2-2;
3. A final plat per UZO Appendix B-3-2 as applicable;
4. Appropriate performance bonds submitted with final detailed plans;
5. A "No Vehicular Access" statement platted along the street right-of-way lines of the lot between approved driveways;
6. Plant schedule approved by the West Lafayette Greenspace Administrator;
7. City Engineer's office will look at sight distances from the new parking lot drive onto Palmer Drive and recommend if restricting parking on the curve is needed.

Public Notice has been given that this petition will be heard before the West Lafayette Council at its February 6, 2006 regular meeting.

Sincerely,

A handwritten signature in cursive script that reads "Sallie Dell Fahey".

Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosures: Planned Development drawings and Ordinances

cc: Fairway Apartments / Greg Milakis
Knolls Apartments, LLC
Paul Coutts, C & S Engineering
Gary Schroeder
West Lafayette Development Department
John Meluch, Verizon
Kerry Plantenga, Insight Communications
Jim Yarnal, Vectron
Jeff Beumel, Cinergy PSI

Z-2276
FAIRWAY APARTMENTS LLC & KNOLLS APARTMENTS LLC
FAIRWAY KNOLLS PLANNED DEVELOPMENT
R3W TO PDRS

STAFF REPORT
12 January 2006

**FAIRWAY APARTMENTS LLC & KNOLLS APARTMENTS LLC
FAIRWAY KNOLLS PLANNED DEVELOPMENT
R3W to PDRS****Staff Report
12 January 2006**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioners, Gary Schroeder & Greg Milakis, represented by C&S Engineering, are requesting a rezone from R3W to PDRS for existing Fairway Knolls Apartments in order to construct a 3-story apartment building expansion on the 5.285 acre site. This project is located at the northwest corner of Neil Armstrong and Palmer Drives in West Lafayette, Wabash 12(SE) 23-5.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site is zoned R3W as is the area northwest and across Northwestern to the southeast. OR zoning abuts to the north; R1 to the west; and GB to the east. Floodplain zoning associated with the Celery Bog is southwest of the site beyond the single-family development that abuts Fairway Knolls. Five planned developments are within a half mile radius of this site, four are residential projects and one is commercial.

AREA LAND USE PATTERNS:

The subject site is an existing apartment complex with clubhouse and six buildings, 12 units each, resulting in 72 units with 114 bedrooms. Multi-family land use abuts to the north while a small single-family development adjoins to the west. The Purdue golf course occupies land between these residential uses and Lindberg Road to the south. A mix of commercial and various densities of residential use is found across Northwestern and along Sagamore Parkway to the east.

TRAFFIC AND TRANSPORTATION:

Petitioner's site is a 5+ acre island surrounded by streets on four sides: Neil Armstrong on the east, Palmer Drive to the south, Burke Ct. west and a private drive on the north. All but the private drive are public urban local streets. Access to the parking area of this proposed expansion will come from two new driveway cuts. The first cut is on the north side of the site roughly 100' from the corner of Neil Armstrong and the private drive. The second cut is on the south side 130' from the corner of Neil Armstrong and Palmer Drives. The parking standard negotiated for the expansion is 1 space per bedroom. The proposed building houses 28 new units with 52 bedrooms and would require 52 spaces. The site plan shows 64 spaces and would provide 12 additional parking places to existing residents at the southeast corner of the complex.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Utilities are already available on site. An existing 15' sewer easement is shown along the entire road frontage to Neil Armstrong Drive. The open wooded lot where the new building is planned currently has 22 trees, mostly oak and hickory, ranging in size from 18 to 44 inches in diameter. An inventory conducted by the development team determined that of the 22 trees: 3 are in poor

condition, 7 are in fair condition and the remaining 12 trees are in good condition, the most notable of which are a 40" Red Oak, 36" Bur Oak and 36" White Oak. The landscape plan shows 25 new street trees, 13 new parking lot trees and 8 of the existing 22 trees being saved. Included in those 8 is a 36" Bur Oak, one of the three notable trees listed above.

STAFF COMMENTS:

Petitioners in this case, the developers whose proposal it is to expand the existing Fairway Knolls Apartment complex, had several scenarios to consider before coming to this hearing with their proposal:

1. The project could have been developed as a 2-lot subdivision in the R3W zone with petitioners seeking primary approval including height and setback variances filed with the Area Board of Zoning Appeals that staff could not support; or
2. The proposal could have been simply a subdivision case with the new building constructed according to the required standards resulting in an increased loss of mature trees on site; or
3. The plan could have moved forward as a 1-lot subdivision request and a PDRS zoning petition excluding the other six buildings on site; or
4. The case could consist of a 5+ acre PDRS request for the entire complex complete with negotiated upgrades and amenities for the whole site.

Petitioners agreed, with support from both APC and city staff, that including the entire site in a comprehensive upgrade to the complex was the more responsible approach. The request is another example of redevelopment in West Lafayette that could have used a less involved process but could have also resulted in a less desirable end product. By incorporating all, rather than part, of the apartment complex, staff and petitioners were able to discuss new and existing parking issues, address building design and placement, and negotiate landscape upgrades for the overall site. The end result is a project both staff and petitioners can agree will serve not only the developer's needs but the community's interests with the best possible proposal for the site.

STAFF RECOMMENDATION:

Approval, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
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